REMARKS/ARGUMENTS

This Amendment is in response to the final Office Action dated December 17, 2007. In that Office Action: (1) Claims 65-70, 72-79, and 81-83 have been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2003/0140021 to Ryan et al. ("*Ryan*"); (2) Claim 71 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over *Ryan*; and (3) Claims 80 and 84-86 have been rejected under 35 U.S.C § 103(a) as being unpatentable over *Ryan* in view of U.S. Patent No. 6,073,062 to Hoshino ("*Hoshino*"). Each of the above are addressed below. For the Examiner's reference, Claims 1-64 were previously cancelled, Claims 65-76, 79, and 84-86 have been cancelled, various claims have been amended, and Claims 87 and 88 have been added as new. Following this Amendment, Claims 77-78, 80-83, and 87-88 remaining pending in this application.

Claim Rejections – 35 U.S.C. § 102

The Examiner has rejected Claims 65-70, 72-79, and 81-83 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication No. 2003/0140021 to Ryan et al. ("*Ryan*").

Claims 65-70, 72-76, and 79

Applicants have cancelled these claims.

Independent Claim 77

Independent Claim 77 has been rejected under 35 USC § 102(e) as being anticipated by *Ryan*. Although Applicants do not agree with the current rejection of Claim 77, in order to facilitate prosecution of the present application, Applicants have amended Claim 77 to further distinguish the claimed invention from the cited prior art. For example, Applicants have amended Claim 77 to specify a processor configured for "***displaying, on said portable device, a first screen associated with a first of said job elements, said first screen displaying a particular set of job methods ..., said particular set of job methods corresponding to said first job***

element," wherein "*said first screen comprises a concurrent display of said particular set of job methods*."

Applicants note that *Ryan* describes a computer assisted process for remotely providing supervision, control, and instruction of a worker while the worker performs directed tasks. (*See* abstract). Specifically, the process of *Ryan* describes a work module that includes a work support tool that provides specific instructions directing a worker to perform specific tasks, and a computer assisted learning (CAL) tool that displays educational and training information to the worker. (*See* ¶ [0025] and ¶ [0027]). This information is displayed to the user via a device such as a PDA. (*See* ¶ [0022]).

The work support tool schedules worker tasks, leads the worker through the tasks one by one, and instructs the worker to take the proper steps to record activities. (*See* ¶ [0027]). As the worker performs a task, the work module requires the worker to provide task performance input representative of the actions the worker took in performing the directed task. (*See* ¶ [0031]). If the worker fails to perform a task correctly, a monitoring tool stores activity data representative of the worker's failure and reports the activity data to a supervisor. (*See* ¶ [0039]).

The CAL tool displays to the user information that describes to the user the "what," "when," "where," "how," and "why" concerning the directed tasks that must be performed to complete a work project. (*See* ¶ [0025]). As the worker is performing the tasks, if the worker has a question related to a particular task, the worker queries the CAL tool to obtain information on the task. (*See* ¶ [0037]). Thus, *Ryan* is concerned with educating a worker on tasks to be performed, directing the worker to perform the tasks, monitoring the worker's performance of the tasks, controlling the worker's performance of the tasks, and facilitating the worker receiving supervisory input based on the worker's performance of the tasks. (*See* ¶ [0049]).

In contrast, the processor of various embodiments of Claim 77 is configured for displaying a first screen of a particular set of job methods corresponding to a first job element, wherein the first screen comprises a concurrent display of the particular set of job methods. For example, in various embodiments of Claim 77, the set of job methods may relate to a management activity such as an activity or task performed by an employee during the employee's workday, and the set of job methods represent one or more practices that should be

adhered to by the employee while engaged in the particular management activity. (*See* ¶ [0037] of the application). Furthermore, in various embodiments, each method may be generally classified as belonging to a particular job-related area, such as production, safety, sales, and service. (*See* ¶ [0038] of the application). Thus, for example, a display associated with management activity "A" may include a list of production practices associated with "A" and concurrently a list of safety practices associated with "A." This provides a significant advantage because by displaying a number of job methods concurrently, this allows the supervisor to focus on the one or more methods at one time. Such an advantage is not provided by *Ryan*. *Ryan* simply provides a tool that "leads the worker through the tasks one by one and instructs the worker to take the proper steps to record activities." (*See* ¶ [0027]).

On Page 3 of the Office Action, the Examiner argues that *Ryan* expressly teaches more than simply providing a worker with a checklist of tasks to be performed. Specifically, the Examiner has asserted that "Ryan teaches providing 'practices' such as those requiring a 'supervisor's judgment and decision-making' in addition to training and education while performing tasks." While it may be true that *Ryan* provides a CAL tool that displays to the user information that describes to the user the "what," "when," "where," "how," and "why" concerning the directed tasks that must be performed to complete a work project. *Ryan* directs the user of the system to perform one specified task of the work project at any one instance. (*See* ¶ [0050] through ¶ [0056]). Once a task is completed, the user is instructed to move to the next task in the work project. (*See* ¶ [0056]). Thus, *Ryan* does not provide the comprehensive view of practices that should be adhered to by the user while engaged in a particular management activity, such as in various embodiments of Claim 77.

In light of the above, Applicants respectfully assert that *Ryan* fails to teach or suggest a processor configured for "***displaying, on said portable device, a first screen associated with a first of said job elements, said first screen displaying a particular set of job methods ..., said particular set of job methods corresponding to said first job element***," wherein "***said first screen comprises a concurrent display of said particular set of job method***," as recited by independent Claim 77. Accordingly, Applicants respectfully request the Examiner to withdraw the rejection of independent Claim 77.

Independent Claim 81

Independent Claim 81 has been rejected under 35 USC § 102(e) as being anticipated by *Ryan*. Although Applicants do not agree with the current rejection of Claim 81, in order to facilitate prosecution of the present application, Applicants have amended Claim 81 to further distinguish the claimed invention from the cited prior art. For example, Applicants have amended Claim 81 to specify "***displaying, on said portable computer, a first screen associated with a first of said job elements ..., said first screen displaying a first particular set of job methods ..., said first particular set of job methods corresponding to said first job element,***" and wherein "***said first screen comprises a concurrent display of said first particular set of job methods.***" Thus, for reasons similar to those explained above in regard to Claim 77, Applicants respectfully assert that *Ryan* fails to teach or suggest these steps. In addition, *Ryan* fails to teach or suggest similar steps with regard to the second job element. Accordingly, Applicants respectfully request the Examiner to withdraw the current rejection of this claim.

Dependent Claims 78 and 82-83

Claim 78 depends from independent Claim 77 and therefore includes all the limitations of Claim 77 plus additional limitations that further define the invention over the prior art. Claims 82-83 depend from independent Claim 81 and therefore include all the limitations of Claim 81 plus additional limitations that further define the invention over the prior art. Accordingly, for at least the reasons set forth above in regard to independent Claims 77 and 81, Applicants respectfully assert that these claims are also in condition for allowance.

Claim Rejections - 35 U.S.C. § 103

The Examiner has rejected Claim 71 under 35 U.S.C. § 103(a) as being unpatentable over *Ryan*. In addition, the Examiner has rejected Claims 80 and 84-86 under 35 U.S.C. § 103(a) as being unpatentable over *Ryan* in view of U.S. Patent No. 6,073,062 to Hoshino ("*Hoshino*")

Claims 71 and 84-86

Applicants have cancelled these claims.

Dependent Claim 80

Claim 80 depends from independent Claim 77 and therefore includes all the limitations of Claim 77 plus additional limitations that further define the invention over the prior art. Accordingly, for at least the reasons set forth above in regard to independent Claim 77, Applicants respectfully assert that this claim is also in condition for allowance.

New Claims

New Claims 87 and 88

New dependent Claims 87 and 88 have been added to the application. Support for this claims can be found in paragraphs [0041] and [0050] of the current application.
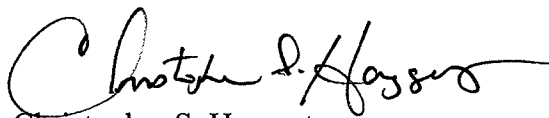
CONCLUSION

The foregoing is submitted as a full and complete response to the final Office Action mailed December 17, 2007. The foregoing amendments to the claims, when taken in conjunction with the appended remarks, are believed to have placed the present application in condition for allowance, and such action is respectfully requested. The Examiner is encouraged to contact Applicants' undersigned attorney at (404) 881-7640 or e-mail at chris.haggerty@alston.com to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,

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